

EXHIBIT 6 – Amended Affidavit of Mailing Notice of Foreclosure and Amended
Trustee’s Notice of Sale

(14)

RECORDING COVER SHEET
Pursuant to ORS 205.234

Jackson County Official Records **2010-016855**
R-AFM **05/28/2010 02:06:00 PM**
Cnt=1 AVGERICN
\$30.00 \$10.00 \$5.00 \$11.00 \$15.00 **Total:\$71.00**



01428348201000168550060064

I, Christine Walker, County Clerk for Jackson County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.
Christine Walker - County Clerk

After recording return to:

Northwest Trustee Services, Inc.
As successor trustee
Attention: Kathy Taggart
P.O. Box 997
Bellevue, WA 98009-0997

[REDACTED]

1. AMENDED AFFIDAVIT OF MAILING - TRUSTEE'S NOTICE OF SALE
2. AMENDED TRUSTEE'S NOTICE OF SALE

30
26
15

Original Grantor(s) on Trust Deed: Donald E. McCoy III and Virginia Lee McCoy,
husband and wife as joint tenants

Beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for BNC
Mortgage, Inc.

**THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE
ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS CONTAINED IN
THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN
THE INSTRUMENT ITSELF.**

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

STATE OF WASHINGTON, County of KING) ss:

I, the undersigned, being first duly sworn, depose and say and certify that:

At all times hereinafter mentioned, I was and now am a resident of the State of Washington, a competent person over the age of eighteen years and not the beneficiary or beneficiary's successor in interest named in the attached original notice of sale given under the terms of that certain deed described in said notice.

I gave notice of the sale of the real property described in the attached notice of sale by mailing a copy thereof by both first class and certified mail with return receipt requested to each of the following named persons (or their legal representatives, where so indicated) at their respective last known address, to-wit:

Mortgage Electronic Registration Systems, Inc.
3300 SW 34th Ave Suite 101
Ocala, FL 34474BNC Mortgage, Inc.
P.O. Box 19656
Irvine, CA 92623-9656America's Servicing Company
2071 Wells Fargo Way
Minneapolis, MN 55467America's Servicing Company
MAC P6053-022
P.O. Box 4116
Portland, OR 97208John Kroger, Attorney General
Oregon Department of Justice
1162 Court Street N.E.
Salem, OR 97301-4096State of Oregon
Department of Revenue
955 Center Street Northeast
Salem, OR 97301-2555State of Oregon
Department of Revenue
P.O. Box 14725
Salem, OR 97309-5018Gorilla Capital of Jackson County LLC
1400 High Street, Suite B-2
Eugene, OR 97401Vic Nicolescu
1025 Court Street
Medford, OR 97501Medford Irrigation District
1340 Myers Lane
Medford, OR 97501Credit Bureau of Josephine County
c/o Dawn Fauver
130 NE Manzanita Ave
Grants Pass, OR 97526Medford Irrigation District
PO Box 70
Jacksonville, OR 97530Southern Oregon Credit Service Inc.
c/o Linda Collins
841 Stewart Ave Suite 11
Medford, OR 97501Southern Oregon Credit Service Inc.
c/o Linda Collins
PO Box 4070
Medford, OR 97501Internal Revenue Service
Technical Services Advisory Group Mgr
915 Second Avenue MS W245
Seattle, WA 98174Gorilla Capital, Inc.
1390 High Street
Eugene, OR 97401DONALD E. MCCOY III
2969 SUNNYVALE DRIVE
CENTRAL POINT, OR 97502VIRGINIA LEE MCCOY
2969 SUNNYVALE DRIVE
CENTRAL POINT, OR 97502OCCLPANTS
2969 SUNNYVALE DRIVE
CENTRAL POINT, OR 97502DONALD E. MCCOY III
c/o Keith Y. Boyd, Atty.
88 East Broadway
Eugene, OR 97401-2933VIRGINIA LEE MCCOY
c/o Keith Y. Boyd, Atty.
88 East Broadway
Eugene, OR 97401-2933DAVID F. WURST, TRUSTEE
POB 610
MEDFORD, OR 97501

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Donald E. McCoy III and Virginia Lee McCoy, husband and wife as joint tenants
Grantorto
Northwest Trustee Services, Inc.
Trustee

File # [REDACTED]

After recording return to:
Northwest Trustee Services, Inc.
Attn: Kathy Taggart
P.O. Box 997
Bellevue, WA 98009-0997

Said persons include (a) the grantor in the trust deed, (b) any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, (c) any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest, and (d) any person requesting notice, as required by ORS 86.785.

Each of the notices so mailed was certified to be a true copy of the original notice of sale, each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Bellevue, Washington, on 5/25/10. With respect to each person listed above, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated, and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each of said notices was mailed after the notice of default and election to sell described in said notice of sale was recorded.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

STATE OF WASHINGTON)

COUNTY OF KING)

I certify that I know or have satisfactory evidence that Catherine Lyle the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 5-25-10

Catherine Lyle

Cassandra Barber
NOTARY PUBLIC in and for the State of
Washington, residing at Bellevue
My commission expires 11-09-13

AFFIDAVIT OF MAILING AMENDED TRUSTEE'S NOTICE OF SALE

RE: Trust Deed from
Donald E. McCoy III and Virginia Lee McCoy, husband and wife as joint tenants
Grantor
to
Northwest Trustee Services, Inc.
Trustee File No. 7777.24201

After recording return to:
Northwest Trustee Services, Inc.
Attn: Kathy Taggart
P.O. Box 997
Bellevue, WA 98009-0997

CASANDRA F. BARBER
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
11-09-13

AMENDED TRUSTEE'S NOTICE OF SALE

Reference is made to that certain trust deed made by Donald E. McCoy III and Virginia Lee McCoy, husband and wife as joint tenants, as grantor, to First American Title Insurance Company, as trustee, in favor of Mortgage Electronic Registration Systems, Inc. solely as nominee for BNC Mortgage, Inc., as beneficiary, dated 09/26/05, recorded 09/30/05, in the mortgage records of Jackson County, Oregon, in 2005-060123, and subsequently assigned to U.S. Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-10 by Assignment recorded as 2007-43371, covering the following described real property situated in said county and state, to wit:

Beginning at an iron pipe 810.62 feet East and 1343.30 feet South of the Northwest corner of Donation Land Claim No. 44 in Section 9, Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence West 405.31 feet to an iron pipe; thence North 134.33 feet; thence East 405.31 feet; thence South 134.33 feet to an iron pipe and the point of beginning.

PROPERTY ADDRESS: 2969 SUNNYVALE DRIVE CENTRAL POINT, OR 97502

Both the beneficiary and the trustee have elected to sell the real property to satisfy the obligations secured by the trust deed and a notice of default has been recorded pursuant to Oregon Revised Statutes 86.735(3); the default for which the foreclosure is made is grantor's failure to pay when due the following sums: monthly payments of \$2,512.46 beginning 04/01/07; plus late charges of \$115.35 each month beginning 04/16/07; plus prior accrued late charges of \$0.00; plus advances of \$8,996.06 that represent property inspection fees, foreclosure fees and costs, and paid attorney's fees and costs; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default the beneficiary has declared all sums owing on the obligation secured by the trust deed immediately due and payable, said sums being the following, to wit: \$318,507.03 with interest thereon at the rate of 8.34 percent per annum beginning 03/01/07; plus late charges of \$115.35 each month beginning 04/16/07 until paid; plus prior accrued late charges of \$0.00; plus advances of \$8,996.06 that represent property inspection fees, foreclosure fees and costs, and paid attorney's fees and costs; together with title expense, costs, trustee's fees and attorneys fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

The Notice of Default and original Notice of Sale given pursuant thereto stated the property would be sold on March 8, 2010, at the hour of 10:00 o'clock A.M., in accord with the standard of time established by ORS 187.110, at the following place: on the front steps outside the main entrance of the Jackson County Courthouse, 10 South Oakdale, in the City of Medford, County of Jackson, State of Oregon; However, subsequent to the recording of said Notice of Default the original proceedings were stayed by order of the court or by proceedings filed under the U.S. Bankruptcy Code or for other lawful reason. Said stay was terminated effective May 20, 2010.

WHEREFORE, notice hereby is given that the undersigned trustee will on **June 25, 2010** at the hour of 10:00 o'clock, A.M., in accord with the standard of time established by ORS 187.110, at the following place: on the front steps outside the main entrance of the Jackson County Courthouse, 10 South Oakdale, in the City of Medford, County of Jackson, State of Oregon, sell at public auction to the highest bidder for cash the interest in the described real property which the grantor had or had power to convey at the time of the execution by grantor of the trust deed, together with any interest which the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further given that for reinstatement or payoff quotes requested pursuant to ORS 86.757 and 86.759 must be timely communicated in a written request that complies with that statute addressed to the trustee's "Urgent Request Desk" either by personal delivery to the trustee's physical offices (call for address) or by first class, certified mail, return receipt requested, addressed to the trustee's post office box address set forth in this notice. Due to potential conflicts with federal law, persons having no record legal or equitable interest in the subject property will only receive information concerning the lender's estimated or actual bid. Lender bid information is also available at the trustee's website, www.northwesttrustee.com. Notice is further given that any person named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default

complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753. Requests from persons named in ORS 86.753 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

NOTICE TO TENANTS

If you are a tenant of this property, foreclosure could affect your rental agreement. A purchaser who buys this property at a foreclosure sale has the right to require you to move out after giving you notice of the requirement.

If you do not have a fixed-term lease, the purchaser may require you to move out after giving you a 30-day notice on or after the date of sale.

If you have a fixed-term lease, you may be entitled to receive after the date of the sale a 60-day notice of the purchaser's requirement that you move out.

To be entitled to either a 30-day or 60-day notice, you must give/must have given the trustee of the property written evidence of your rental agreement at least 30 days before the date first set for the sale. If you have a fixed-term lease, you must give/must have given the trustee a copy of the rental agreement. If you do not have a fixed-term lease and cannot provide a copy of the rental agreement, you may give/may have given the trustee other written evidence of the existence of the rental agreement. The date that is 30 days before the date first set for the sale is/was February 6, 2010. The name of the trustee and the trustee's mailing address are listed on this notice.

Federal law may grant you additional rights, including a right to a longer notice period. Consult a lawyer for more information about your rights under federal law.

You have the right to apply your security deposit and any rent you prepaid toward your current obligation under your rental agreement. If you want to do so, you must notify your landlord in writing and in advance that you intend to do so.

If you believe you need legal assistance with this matter, you may contact the Oregon State Bar Association (16037 Upper Boones Ferry Road, Tigard, Oregon 97224, (503)620-0222, toll-free in Oregon (800)452-8260) and ask for lawyer referral service. If you have a low income and meet federal poverty guidelines, you may be eligible for free legal assistance; a county-by-county listing of legal aid resources may be found on the Internet at <http://www.osbar.org/public/ris/lowcostlegalhelp/legalaid.html>.

The trustee's rules of auction may be accessed at www.northwesttrustee.com and are incorporated by this reference. You may also access sale status at www.northwesttrustee.com and www.USA-Foreclosure.com.

Dated: 5-7-10, 20 10

Northwest Trustee Services, Inc.

By 

Assistant Vice President
Northwest Trustee Services, Inc.

For further information, please contact:

Kathy Taggart
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009-0997
(425) 586-1900

State of Washington, County of King) ss:

I, the undersigned, certify that the foregoing is a complete and accurate copy of the original trustee's notice of sale.

By Authorized Signer

AMENDED TRUSTEE'S NOTICE OF SALE

**RE: Trust Deed from
Donald E. McCoy III and Virginia Lee McCoy, husband and wife as
joint tenants**

**Grantor
to
Northwest Trustee Services, Inc.
Trustee**

File No. [REDACTED]

After recording return to:

**Northwest Trustee Services, Inc.
Attn: Kathy Taggart
P.O. Box 997
Bellevue, WA 98009-0997**

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**

6